

**LABOR SERVICES DIVISION[875]**

**Notice of Intended Action**

**Proposing rule making related to conveyance safety and  
providing an opportunity for public comment**

The Elevator Safety Board hereby proposes to amend Chapter 71, “Administration of the Conveyance Safety Program,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is proposed under the authority provided in Iowa Code section 89A.3.

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code chapter 89A.

*Purpose and Summary*

The ASME A17.3 Code requires upgrades of some older elevators. These proposed amendments would reduce the fee for alteration permits linked to ASME A17.3 and clarify which ASME A17.3 upgrades need an alteration permit.

*Fiscal Impact*

Reducing the alteration fee linked to ASME A17.3 will cause a slight reduction of receipts to the elevator safety fund.

*Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 875—Chapter 66.

*Public Comment*

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Board no later than 4:30 p.m. on February 6, 2019. Comments should be directed to:

Kathleen Uehling  
Division of Labor Services  
1000 East Grand Avenue  
Des Moines, Iowa, 50319-0209  
Email: [kathleen.uehling@iwd.iowa.gov](mailto:kathleen.uehling@iwd.iowa.gov)

*Public Hearing*

If requested, a public hearing at which persons may present their views orally or in writing will be held as follows:

February 6, 2019  
9 a.m.

150 Des Moines Street  
Des Moines, Iowa

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Board and advise of specific needs.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Adopt the following **new** subrule 71.10(4):

**71.10(4)** Work required by ASME A17.3 (2011) qualifies as normal maintenance and does not require an alteration permit except for work performed to comply with ASME A17.3 (2011) 2.3.3, 3.4.4.1(a), 3.4.4.2, 3.5.3, 3.5.5(a) and (b), 3.5.7, 3.6.1, 3.6.2, 3.8.1(a), 3.8.3(a), 3.10.1, 3.10.4(b) through (g), 3.10.4(i) through (k), 3.10.4(m), 3.10.4(r), 3.10.4(w), 3.10.7, 3.10.9, 3.10.10, 4.4.2, 4.4.3, and 4.7.3.

ITEM 2. Amend paragraph **71.16(4)“a”** as follows:

a. ~~The Except as set forth below, the~~ fee for any elevator alteration permit shall be \$500 and shall cover the initial print review, alteration permit, and initial inspection.

ITEM 3. Reletter paragraph **71.16(4)“d”** as **71.16(4)“e.”**

ITEM 4. Adopt the following **new** paragraph **71.16(4)“d”**:

d. The fee for an initial print review, elevator alteration permit, and initial inspection shall be \$250 if both of the following conditions are met:

(1) The only changes covered by the elevator alteration permit application are required by ASME A17.3 (2011) as adopted in 875—Chapters 72 and 73; and

(2) The elevator alteration permit application is submitted no later than 120 days after the issuance of an inspection report describing ASME A17.3 requirements.